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16 **UNITED STATES BANKRUPTCY COURT**

17 **DISTRICT OF NEVADA**

18 In re:
 19 PETERSEN-DEAN, INC.,
 20 Debtor.

21 CASE NO. BK-S-20-12821-MKN
 22 Chapter 11
 23 Date: N/A
 24 Time:
 25 Location:

26 **EX PARTE APPLICATION FOR EXAMINATION OF BILL**
PARTRIDGE PURSUANT TO BANKRUPTCY RULE 2004

27 Secured lender ACF FinCo I, LP (the “Secured Lender”), by and through its counsel, the
 28 law firm of Garman Turner Gordon LLP, hereby respectfully applies (the “Application”) for an
 1 order pursuant to Bankruptcy Rule¹ 2004 directing Bill Partridge (“Mr. Partridge”) to appear for
 2 an examination on June 29, 2020, at 1:00 p.m. (which is a time agreed to by the Secured Lender
 3 and Debtors) related to the financial affairs of the Debtors.²

4 Bankruptcy Rule 2004(a) provides that “[o]n motion of any party in interest, the court may
 5 order the examination of any entity.” Such an examination may relate to the acts, conduct, or
 6

7 _____
 8 ¹ All references to “Chapter” and “Section” herein are to Title 11 of the U.S. Code (the “Bankruptcy Code”), all
 9 references to a “Bankruptcy Rule” are to the Federal Rules of Bankruptcy Procedure, and all references to “Local
 10 Rule” are to the Local Rules of Bankruptcy Practice of the United States District Court for the District of Nevada.

11 ² “Debtors” refers to Beachhead Roofing & Supply, Inc., California Equipment Leasing Association, Inc., Fences 4
 12 America, Inc., James Petersen Industries, Inc., PD Solar, Inc., Petersen Roofing and Solar LLC, Petersen-Dean, Inc.,
 13 PetersenDean Hawaii LLC, PetersenDean Roofing and Solar Systems, Inc., PetersenDean Texas, Inc., Red Rose, Inc.,
 14 Roofs 4 America, Inc., Solar 4 America, Inc., Sonoma Roofing Services, Inc., TD Venture Fund, LLC, and Tri-Valley
 15 Supply, Inc.

1 property, or to the liabilities and financial condition of the debtor, or to any matter which may
 2 affect the administration of the debtor's estate. See FED. R. BANKR. P. 2004(b). Here, the
 3 requested examination relates to matters that are within the permitted scope of Bankruptcy Rule
 4 2004, including: (i) the acts, conduct, and property of the Debtors; (ii) the liabilities and financial
 5 condition of Debtors; (iii) transactions and business dealings of Debtors; and (iv) all other matters
 6 that affect the administration of Debtors' estates.

7 The examination will take place by video conference and login information will be
 8 circulated to all parties and witnesses.

9 The Secured Lender will conduct this examination utilizing the secure web-based
 10 examination option afforded by Zoom or other provider or in the alternative video teleconferencing
 11 services offered by Zoom or other provider or telephonically only and will provide remote access
 12 to those parties wishing to participate in the examination via the internet and/or telephone. The
 13 court reporter may also be remote via one of the options above for the purposes of reporting the
 14 examination and may or may not be in the presence of the examinee.

15 Please contact the noticing attorney at least two (2) calendar days prior to the examination
 16 so that the necessary credential, call-in numbers, testing and information, if necessary, can be
 17 provided to you prior to the examination.

18 WHEREFORE, Secured Lender respectfully requests the Court enter the *Order*
 19 *Authorizing Examination of Bill Partridge Pursuant to Bankruptcy Rule 2004* attached as **Exhibit**
 20 **1** hereto.

21 Dated this 19th day of June, 2020.

22 GARMAN TURNER GORDON LLP

23 /s/ Mark M. Weisenmiller
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 26 WILLIAM M. NOALL
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EXHIBIT 1

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Counsel for ACF FinCo I, LP

15 **UNITED STATES BANKRUPTCY COURT**

16 **DISTRICT OF NEVADA**

17 In re: CASE NO. BK-S-20-12821-MKN
Chapter 11
18 PETERSEN-DEAN, INC.,
19 Debtor. Date: N/A
Time:
Location:

20 **ORDER GRANTING EX PARTE APPLICATION FOR EXAMINATION OF
21 BILL PARTRIDGE PURSUANT TO BANKRUPTCY RULE 2004**

22 Upon the *Ex Parte Application for Examination of Bill Partridge Pursuant to Bankruptcy*
23 *Rule 2004* (the “Application”)¹ and good cause appearing therefore;

24 **IT IS HEREBY ORDERED** that Bill Partridge shall appear for a Bankruptcy Rule 2004
25 examination on June 29, 2020, at 1:00 p.m., pursuant to FED. R. BANKR. P. 2004, related to the
26 financial affairs of the Debtors.

27
28 ¹ All capitalized undefined terms used herein shall be ascribed the definitions set forth in the Application.

1 **IT IS HEREBY ORDERED** the examination will take place by video conference and
2 login information will be circulated to all parties and witnesses.

3 **IT IS HEREBY ORDERED** the Secured Lender will conduct this examination utilizing
4 the secure web-based examination option afforded by Zoom or other provider or in the alternative
5 video teleconferencing services offered by Zoom or other provider or telephonically only and will
6 provide remote access to those parties wishing to participate in the examination via the internet
7 and/or telephone. The court reporter may also be remote via one of the options above for the
8 purposes of reporting the examination and may or may not be in the presence of the examinee.

9 **IT IS HEREBY ORDERED** all parties and witnesses wishing to participate in the
10 examination via the internet or phone shall contact the noticing attorney at least two (2) calendar
11 days prior to the examination so that the necessary credential, call-in numbers, testing and
12 information, if necessary, can be provided to you prior to the examination.

13 **IT IS SO ORDERED.**

14 PREPARED AND SUBMITTED BY:

16 GARMAN TURNER GORDON LLP

17 */s/ Mark M. Weisenmiller*
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